

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:12-CR-067-LRH-(GWF)
)	
DAVID JOHNSON,)	
)	
Defendant.)	

PRELIMINARY ORDER OF FORFEITURE

On March 26, 2013, defendant DAVID JOHNSON pled guilty to Count One of a One-Count Superseding Criminal Information charging him in Count One with Possession of a Stolen Firearm in violation of Title 18, United States Code, Section 922(j). Superseding Criminal Information, ECF No. 97; Plea Agreement, ECF No. 94; Change of Plea, ECF No. 101.

This Court finds defendant DAVID JOHNSON agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information. Superseding Criminal Information, ECF 97; Plea Agreement, ECF No. 94.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between the property set forth in the Forfeiture Allegation of the Superseding Criminal Information and agreed to in the Plea Agreement and the offense to which defendant DAVID JOHNSON pled guilty. Superseding Criminal Information, ECF No. 97; Plea Agreement, ECF No. 94.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- a. a High Point C9 9mm, serial number P134690;
- b. a Colt Commander, .45 caliber firearm, serial number CLW028707; and
- c. any and all ammunition (“property”).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of DAVID JOHNSON in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney’s Office at the following address at the time of filing:

Michael A. Humphreys
Assistant United States Attorney
Daniel D. Hollingsworth
Assistant United States Attorney
Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 31st day of May, 2013.



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7 LARRY R. HICKS
8 UNITED STATES DISTRICT JUDGE
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